

ORIGINAL

Arizona Corporation Commission  
BEFORE THE ARIZONA CORPORATE COMMISSION



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2 CARL J. KUNASEK  
Chairman  
3 JIM IRVIN  
Commissioner  
4 WILLIAM A. MUNDELL  
Commissioner

OCT 24 2000

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AZ CORP COMMISSION  
DOCUMENT CONTROL

In the matter of:

) Docket No. S-03424A-00-0000

6 GLOBAL HARVEST CORP.  
7 An Arizona corporation  
8 4800 N. Scottsdale Rd., Suite 2600  
9 Scottsdale, AZ 85251

) **NOTICE OF DISTRICT COURT RULING  
) AND REQUEST FOR CONTINUANCE  
) OF HEARING DATES**

10 DAVID PATTEN  
An individual  
11 7333 E. Chaparral Rd  
Scottsdale, AZ 85250

12 ALBERT TABAH  
13 An individual  
6915 E. Orange Blossom Lane  
14 Scottsdale, AZ 85253,

15 Respondents.

16 At the October 17, 2000 pre-hearing conference in this matter it was represented to the  
17 Hearing Officer that a Motion for Preliminary Injunction filed by Global Harvest Corp., requesting  
18 that the Corporation Commission be barred from hearing this matter, was scheduled to be heard in  
19 the United States District Court on October 25, 2000. Subsequent to that pre-hearing conference,  
20 the District Court has vacated the hearing on October 25, 2000, and instead set a hearing on  
21 February 5, 2001, for the Corporation Commission's Motion to Dismiss the District Court  
22 complaint. See attached orders.

24 In his Procedural Order of October 17, 2000, the Hearing Officer requested counsel to keep  
25 available the days of November 15 and 16 for a possible hearing. Undersigned counsel is  
26 scheduled to be in Los Angeles on November 14 for an all day conference organized by the

1 Securities and Exchange Commission. While he expects to return to Phoenix that evening, in the  
2 event that any arrangements were delayed, that would result in him not being available on  
3 November 15. The Securities Division requests that the Hearing Officer instead set November 16  
4 and 17 as possible hearing dates.

5 Respectfully submitted this 24th day of October, 2000

6 JANET NAPOLITANO  
7 Attorney General  
8 Consumer Protection and Advocacy Section

9 

10 Mark Dinell  
11 Special Assistant Attorney General

12 ORIGINAL AND TEN (10) COPIES of the foregoing  
13 filed this 24th day of October, 2000, with:

14 Docket Control  
15 Arizona Corporation Commission  
16 1200 West Washington  
17 Phoenix, AZ 85007

18 COPY of the foregoing  
19 hand-delivered this 24th day of October, 2000, to:

20 Mr. Marc Stern  
21 Hearing Officer  
22 Arizona Corporation Commission/Hearing Division  
23 1200 West Washington  
24 Phoenix, AZ 85007

25 COPY of the foregoing mailed this  
26 24th day of October, 2000 to:

Burton M. Bentley  
Burton M. Bentley, P.C.  
7878 N. 16<sup>th</sup> St., Suite 110  
Phoenix, AZ 85020

United States District Court  
for the District of Arizona  
October 18, 2000

Minute Order

Case No. 2:00-cv-01793

Title: Global Harvest Corp v. AZ Corporation Comm

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DOCKET ENTRY

MINUTE ORDER: Due to the pending motion to dismiss (case) for lack of jurisdiction (as comity and federalism precludes this Court's exercise of jurisdiction in this matter) by dfts [9-1];

IT IS ORDERED vacating the order to show cause hearing set for Wednesday, October 25, 2000 at 9:00 a.m. before the Honorable Stephen M. McNamee in courtroom #4, 6th floor.

(cc: all counsel/MP) [12-2]

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CASE ASSIGNED TO:

Hon. Stephen M McNamee, Judge

United States District Court  
for the District of Arizona  
October 19, 2000

Minute Order

Case No. 2:00-cv-01793

Title: Global Harvest Corp v. AZ Corporation Comm

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DOCKET ENTRY

MINUTE ORDER: IT IS ORDERED setting the motion to dismiss (case) for lack of jurisdiction (as comity and federalism precludes this Court's exercise of jurisdiction in this matter) by dfts [9-1] for Monday, February 5, 2001 at 10:00 a.m. before the Honorable Stephen M. McNamee in courtroom #4, 6th floor.

(cc: all counsel/MP) [13-2]

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CASE ASSIGNED TO:

Hon. Stephen M McNamee, Judge